

COMMISSIONERS ORDINANCE NO. O-2014-001

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY CREATING SECTION 152.50 OF THE CODE OF ORDINANCES OF THE CITY OF NEWPORT, KENTUCKY ADOPTING THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) IDENTIFYING THE SPECIAL FLOOD HAZARD AREAS (SFHA'S) WITHIN THE CITY, PURSUANT TO FEDERAL LAW, TO CONTINUE ELIGIBILITY IN THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) AND ADOPTING THE FEDERAL FLOODPLAIN MANAGEMENT REGULATIONS WITH REGARD THERETO.

WHEREAS, in compliance with Title 44, Chapter 1, Part 67, Section 67.11 of the Code of Federal Regulations (CFR), the City of Newport, Kentucky (City) has been notified of final flood determinations of the Federal Emergency Management Agency (FEMA); and,

WHEREAS, upon recent re-evaluation of flood hazards within communities, FEMA has issued a Flood Insurance Rate Map (FIRM) identifying Special Flood Hazard Areas (SFHA's) subject to inundation by flood waters within the City; and,

WHEREAS, the Flood Hazard Determinations (FHD's) concerning the City have been published in accordance with federal law and have been appealed and thus are final; and,

WHEREAS, the FHD'S then becomes effective March 3, 2014; and,

WHEREAS, pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, the City is required, within 6 months prior to receipt of notification by the City on September 3, 2013, to continue eligibility in the National Flood Insurance Program (NFIP) to adopt floodplain management regulations and all subsequent amendments thereto which may be made from time to time and which meet the standards of Paragraph 60.3(d) of the NFIP regulations (44 CFR 59, et. seq.) in order to be legally enforceable,

NOW, THEREFORE, be it Ordained by the City of Newport, Kentucky, as follows:

SECTION I

That there is hereby created Section 152.50 of the Code of Ordinances of the City of Newport, Kentucky to read, as follows:

CHAPTER 152 FLOOD DAMAGE PREVENTION

§ 152.50 ADOPTION OF REGULATIONS AND RATE MAP

The City of Newport, Kentucky hereby adopts the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FEMA FIRM), identifying Special Flood Hazard Areas (SFHAs) within the City for use in establishing actuarial rates for flood insurance located within the identified SFHA, including all the standards of Paragraph 60.3(d) of the National Flood Insurance Program (NFIP) regulations (44 CFR 59, et. seq.), as may be subsequently amended from time to time, as the City's comprehensive set of floodplain management regulations in accordance therewith, all of which shall be on file with the City FEMA Administrator, and incorporated herein by reference.

SECTION II

That this Ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published and effective upon publication.

PASSED: First reading: October 21, 2013

PASSED: Second reading: January 27, 2014

JERRY R. PELUSO, MAYOR

ATTEST:

AMY B. ABLE, CITY CLERK

PUBLISHED: In summary in the Campbell County Recorder the 6th day of February, 2014.

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